

OSBORN MALEDON, P.A.
DAVID B. ROSENBAUM (0098A9)
(drosenbaum@omlaw.com)
COLIN M. PROKSEL (034133)
(cproksel@omlaw.com)
2929 North Central Avenue, Suite 2000
Phoenix, Arizona 85012
Telephone: +1 602 640 9000

COOLEY LLP
TERESA MICHAUD (*pro hac vice*)
(tmichaud@cooley.com)
ARIANA E. BUSTOS (*pro hac vice*)
(abustos@cooley.com)
355 S. Grand Avenue, Suite 900
Los Angeles, California 90071-1560
Telephone: +1 213 561 3250

TIANA DEMAS (*pro hac vice forthcoming*)
(tdemas@cooley.com)
110 N. Wacker Drive
Suite 4200
Chicago, Illinois 60606-1511
Telephone: +1 312-881-6500

REECE TREVOR (*pro hac vice*)
(rtrevor@cooley.com)
3 Embarcadero Center, 20th Floor
San Francisco, California 94111-4004
Telephone: +1 415 693 2000

Attorneys for Defendant
Lowe's Home Centers, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Ivonne Carbajal, individually and on behalf of all others similarly situated,

Plaintiff,

V.

Lowe's Home Centers, LLC, a North Carolina limited liability company, and Salesforce, Inc., a Delaware Corporation,

Defendants.

Case No. 2:24-cv-01030-DLR

**LRCIV 12.1 CERTIFICATION &
DECLARATION OF TERESA
MICHAUD IN SUPPORT OF
MOTION TO DISMISS FIRST
AMENDED COMPLAINT BY
LOWE'S HOME CENTERS, LLC**

1 I, Teresa Michaud, declare as follows:

2 1. I am an attorney at Cooley LLP and counsel of record for Defendant Lowe's
 3 Home Centers, LLC ("Lowe's") in the above-captioned action. I am admitted to practice
 4 before this Court *pro hac vice*. I submit this LRCiv 12.1 Certification and Declaration in
 5 support of Lowe's Motions to Dismiss First Amended Complaint. Except as otherwise
 6 stated, the facts herein are based on my personal knowledge, and I could and would
 7 competently testify to them if called to do so.

8 2. Defense counsel conferred with Plaintiffs' counsel on July 24, 2024, by
 9 videoconference regarding the issues asserted in Lowe's Motion to Dismiss First Amended
 10 Complaint. The parties were not able to agree that the First Amended Complaint is curable
 11 in any part by a permissible amendment.

12 3. On July 16, 2024, at my direction, my colleagues used the Internet Archive's
 13 Wayback Machine to view and download a previous version of Lowe's website's U.S.
 14 Privacy Statement (the "Privacy Statement"), the current version of which is available at
 15 <https://www.lowes.com/l/about/privacy-and-security-statement>. The Wayback Machine is
 16 a publicly available digital archive that allows users to review the contents of website pages
 17 as they existed at various points in the past. Attached hereto as **Exhibit A** is a true and
 18 correct copy of the Privacy Statement as it appeared on the webpage
 19 <https://www.lowes.com/l/about/privacy-and-security-statement> on or about December 5,
 20 2023, as reflected in the Wayback Machine's archives.¹ Exhibit A indicates that its effective
 21 date was June 28, 2023.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed at
 23 Santa Barbara, California, on July 25, 2024.

24
 25 *s/ Teresa Michaud*
 26 Teresa Michaud
 27
 28

¹ <https://web.archive.org/web/20231205221532/https://www.lowes.com/l/about/privacy-and-security-statement>.

EXHIBIT A

[Find a Store Near Me](#)[Lowe's Credit Center](#)[Order Status](#)[Weekly Ad](#)[Lowe's PRO](#)[Shop](#)[Savings](#)[Installations](#)[DIY & Ideas](#)[My Lists](#)[Notifications](#)[Sign In](#)[Cart](#)

Prices, Promotions, styles, and availability may vary. Our local stores do not honor online pricing. Prices and availability of products and services are subject to change without notice. Errors will be corrected where discovered, and Lowe's reserves the right to revoke any stated offer and to correct any errors, inaccuracies or omissions including after an order has been submitted.

[Home](#) / [About](#) / [Lowe's U.S. Privacy Statement](#)

Lowe's U.S. Privacy Statement

Table of Contents

[What Information We Collect](#)[What Are the Sources of Your Information](#)[Why We Collect Your Information](#)[How We Share Your Information](#)[Your Privacy Rights and Choices](#)[How to Submit Privacy Request\(s\)](#)[Notice of Financial Incentive Programs/Loyalty Programs](#)[Your Privacy Right Under the California Shine the Light Act](#)[How We Protect Your Information](#)[How We Retain Your Information](#)[Other Important Considerations](#)[Scope](#)[Updates](#)[How to Contact Us](#)[Lowe's Privacy Request Portal](#)**Effective Date: 6/28/2023**

[View as PDF](#)[Spanish Version](#)

This Privacy Statement applies to your interaction with Lowe's as a prospective, current or former Lowe's customer, visitor or business partner. It describes how Lowe's collects, uses, shares, and protects personal information from and about you, along with choices you can make about such information. This Privacy Statement is not a contract and does not create any legal rights or obligations.

What Information We Collect

We collect the following categories of personal information in order to provide products and services to you, to communicate with you, to enhance our products, services, and operations, and for other operational, legal, and compliance purposes:

- **Identification information** that can be used to identify you, such as your name, alias, address, phone number, email address, payment information, login and access credentials, signatures, or other identifiers. We may also collect online identifiers, such as your IP address, when you browse our websites or use our applications.
- **Commercial information**, such as products or services you purchased or considered purchasing.
- **Online activities information**, such as browsing history, search history, and other information when you interact with our websites, applications, and advertisements. We, and our third-party partners, may also use analytics tools to collect information about your keystroke activity and rhythms, mouse movements, scrolling and clicks when you use our websites or mobile applications.
- **Geolocation data**, including precise geolocation data if you allow our application to collect it for purposes such as helping you locate the nearest Lowe's store or alerting our stores when you are on the way to pick up your orders, or for analytic purposes.
- **Audio, electronic, video or image information**, such as audio or video recording when you call or virtually connect with us, video monitoring via mounted or mobile cameras in the store or at the parking lot when you come to our stores, or photos taken when we are working on your project to document progress or completion. When legally permitted, after detecting a security incident to investigate, we may also use image scan technology on images we previously captured of an individual(s) suspected of being responsible for a security incident to aid our investigation and prosecution. Our cameras may capture license plate information when permitted in certain states.
- **Professional or employment-related information**, such as information about you as representatives of our customers and business partners, in connection with our services and the operation of our business, including business contact information, job title, company name, and office visitor access information, where applicable.
- **Protected class information under state or federal laws**, such as age, gender, and family status.
- **Education information**, such as when you respond to a customer survey.
- **Inferences or preferences** we learn or infer about you.
- **Sensitive personal information**, such as precise geolocation, race and ethnicity information, and payment card information when permitted by law. We use the information to provide goods or services you request (e.g., with your consent, we use precise geolocation to calculate your arrival time for in store product pick up, so the products are ready for you upon your arrival). We may also use the information so that we can provide relevant products or services to you. In addition, where permitted by law, we use the information to prevent, detect, protect against, or respond to security incidents, identity theft, fraud, and illegal activities. We may collect government-issued ID for certain types of transactions.

- **Other personal information**, if it identifies, relates and can be reasonably associated with or linked to you (or your household), such as photos you upload, or measurement data or floorplan data generated when using Lowe's measurement services or through measurement technologies, such as the Lowe's Measure Your Space or floor/kitchen visualization features.

We do not knowingly collect or disclose personal information from children under the age of 16 without parental or guardian consent. If a child under the age of 16 has provided us with personally identifiable information, we ask that a parent or guardian contact us so that the information can be deleted.

For more information about how we retain your information, please see the "[How We Retain Your Information](#)" section below.

What Are the Sources of Your Information

We collect different types of information about you from a number of sources, including information you provide to us, information we automatically collect, information we obtain from other sources (specified below), and information we derive or infer about you.

Information You Provide

You may choose to provide us with information when you interact with us. Examples include:

- **Identification information.** You may provide your contact information in case we need to reach out to you. You may also set up your login and access credentials when creating or accessing your MyLowe's or Lowe's Pro Business account. To complete transactions, we collect your payment information (e.g., credit or debit card numbers) and signatures. We may need your government-issued ID number or date of birth for certain types of special transactions.
- **Commercial information.** You may provide or generate commercial information regarding your Lowe's purchases, returns, exchanges, warranties, and rebates.
- **Protected class information under state or federal law or other sensitive personal information.** For example, you may provide your protected demographic information, including age, gender, race and ethnicity and marriage and family status, when you complete a survey from us.
- **Sensitive Personal Information.** We may collect government-issued ID for certain types of transactions to verify your identity and for fraud prevention purposes. We may obtain your government-issued ID information when you return a product no valid receipt is provided or retrieved. When legally permitted, and if you would like to expedite the ID verification process during the self-checkout, you may choose to digitally scan your driver's license or state-issued ID when applying the military discount or using a Lowe's merchandise card issued during the no-receipt return process. We access your first and last name to verify your identity for military discount. We access your ID number and state information to verify your identity for using Lowe's merchandise card issued during the no-receipt return process. We will not save the information obtained by the scan. You are not required to consent to the scan to proceed with these transactions. On the self-checkout screen, you can also call for an associate who will manually verify your identity.
- **Your preferences and inferences.** You may let us know your preferences in a survey, contest, promotion or sweepstakes, or any other contents you submit, such as product reviews.
- **Professional or employment-related information.** You may also provide other professional or employment-related information when you respond to our surveys.
- **Education information.** You may provide education information in surveys.
- **Other personal information**, such as your medical and insurance information, if you submit a claim to us.

Information We Collect by Automated Means

We collect information by automated means online and offline. When you use our websites or mobile applications, Lowe's and our partners may collect certain information by using **Cookies and Other Technologies**. If you choose to connect your mobile device to our free in-store Wi-Fi, we may collect your device usage information. When you visit our store or call our customer care hotline, we may collect audio or video information.

As described under the "What Information We Collect" section, we collect **identification information** (e.g., your IP address, device ID, cookie ID, mobile advertising identifier, or pixel identifier), **online activities, geolocation data, and audio, electronic, video or image information** via automated means.

Information We Collect from Other Sources

- **Identification information.** We may collect your contact information from Lowe's affiliates, acquired businesses, business partners, public sources or other individuals, such as through "Refer a Friend" programs or if someone purchases a product and asks that it be delivered to you.
- **Commercial information.** We may obtain your commercial information, such as your purchase history, from Lowe's affiliates, acquired businesses or business partners. If you save a primary address in your Lowe's online account, we may obtain and display publicly available information about your property to help you make home improvement decisions easier. Such information may include your property size, number of rooms and the year it was built.
- **Inferences or preference information about you, protected class information under state or federal laws, sensitive personal information, professional or employment-related information, education background, and geolocation information.** We may collect inferences or preference information about you from business partners, such as data suppliers and data analytics or survey vendors. We may use such information to conduct aggregated analyses of our customer composition, and we may collect your interest and preference information to recommend products or services that may interest you. We may also learn about your preferences from public sources, such as information you submit in a public forum (e.g., a customer review).

Information We Generate or Derive

- **Inferences or preference information about you.** We may generate or derive some information about you through manual or automated means based on other information we collect. For instance, we may analyze your information and infer your shopping preferences to provide tailored recommendations to you. We may also conduct analyses based on aggregated or de-identified information. We may connect information we collect about you from the means described above if we can identify you as a Lowe's customer, so that we can provide a personalized experience regardless of how you interact with us.

Why We Collect Your Information

We use your personal information for various business or commercial purposes, including fulfilling products and services, communicating with you, supporting and enhancing our business functions and for other legal, compliance and security purposes.

Fulfill Products, Services and Transactions

We may use your **identification information, commercial information, online activities, geolocation information, audio/video, geolocation, sensitive personal information, and other personal information** to provide products and services to you, such as:

- Provide and deliver products and services, fulfill your orders and transactions, and manage returns and exchanges
- Process, record, and track your purchases, payments, returns, warranties, and rebates
- Process payment
- Create and manage your account registrations or benefit or reward program enrollment, such as your MyLowe's account or Lowe's Pro Business account
- Conduct and administer contests, surveys, and sweepstakes
- Provide you with in-store navigation and mapping services and help you find store locations near you

- Fulfill benefits associated with your membership or other use of our products and services
- Identify and verify your identity when needed to provide you with products and services or access to our systems

Facilitate Customer Communication and Outreach

We may use **all of the categories of information** described under “What Information We Collect” section to facilitate and tailor our outreach to you, such as:

- Communicate with you through various channels with transactional or promotional information, such as transaction confirmation and reminder, newsletters, coupons, and other messages
- Evaluate and respond to your requests, inquiries, and applications
- Administer programs for product reviews and surveys as submitted by you and other customers

Enhance Our Products, Services and Operations

We may use **all of the categories of information** described under “What Information We Collect” section to enhance our products, services and operations, such as:

- Conduct research and internal analytics, develop new products and services, perform market research and data analytics, and analyze our products, services, websites, and applications
- Customize your experiences in our stores and online, including customized advertisements and offers
- Determine and manage the effectiveness of our advertising and marketing
- Administering our websites and applications, and perform accounting, auditing, billing, reconciliation, and collection activities

Comply with Legal, Compliance, Law Enforcement and Security Requirements

We may use **identification information, commercial information, online activities, geolocation, and audio, electronic, video, image and other personal information** for legal, compliance, fraud prevention and security purposes, such as:

- Comply with and enforce applicable legal requirements, industry standards and our policies and terms, such as our [Terms and Conditions of Use](#)
- Assist law enforcement and respond to regulatory inquiries
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and prosecute those responsible for that activity

How We Share Your Information

We share your personal information with unaffiliated entities (companies outside the Lowe's family) with your proper implied or express consent. Specifically, we share your personal information to conduct business with service providers and business partners, comply with legal requirements, and transfer our business.

Product or Service Providers and Business Partners

We may disclose your personal information to companies that provide various services to us in areas, such as installation, repair, warranty, order processing and fulfillment, information technology, marketing, customer service, data analytics, research and enhancement, fraud prevention, and legal, compliance and risk management. We may also disclose your personal information to product suppliers for purposes such as post-sale services or recalls. These companies may need access to information about you in order to perform their functions but are generally not authorized to use the information we disclose to them for any other purpose.

In limited cases, we may disclose information about you to a third party who may also use the information for their own specific purposes. For instance, we may provide your information to a vendor that offers additional product warranty coverage, to a business partner who jointly provides or promotes a product or service to you, to a loyalty program partner that offers additional benefits to you, or to a social media or online advertising technology company to serve targeted advertising about products and services available at Lowe's to you.

Legal, Enforcement, Security and Investigation

We may disclose information about you (1) if we believe we are required to do so by law, regulation or legal process, such as a court order or subpoena; (2) as we deem appropriate or necessary in response to requests by government agencies, such as law enforcement authorities or tax authorities; (3) when we believe disclosure is appropriate or necessary to protect the rights, property or safety of Lowe's, our customers or others, including to prevent physical, financial or other harm, injury or loss or to collect debt you owe; or (4) in connection with an investigation of suspected or actual unlawful activity.

Sale or Transfer of Business or Assets

We reserve the right to transfer personal information we have about you in the event we sell or transfer all or a portion of our business or assets (including, without limitation, in the event of a reorganization, dissolution or liquidation).

Categories of Personal Information Disclosed for Business Purposes

We disclose all of the categories of personal information described under "What Information We Collect" section for business purposes, including fulfilling products, services and transactions, facilitating customer communication and outreach, enhancing our products, services and operations, and complying with legal, compliance, law enforcement and security requirements. Examples of the types of vendors we disclose personal information to for these purposes include analytics and research vendors, installation, repair and warranty services companies, order processing and fulfillment vendors, fraud prevention, legal, compliance and risk management vendors, information technology vendors, financial institutions, and marketing and advertising vendors.

Categories of Personal Information Shared with Third Parties

We share your personal information with digital advertising partners for purposes including online targeted marketing and measuring the effectiveness of such marketing. Certain digital advertising partners combine the information into a customer profile. We may also disclose your information to our business partners who may use it for additional purposes relevant to our products or services (e.g., joint marketing, joint product/services offering).

Categories of Third Parties and Purposes of Sharing

Categories of Personal Information

Home Improvement Service Companies

(e.g., for joint marketing under certain circumstances)

- Identifiers
- Commercial Information
- Inferences

Financial Institutions

(e.g., for joint marketing and analytics on private-labeled credit cards)

- Identifiers
- Commercial Information
- Inferences

Marketing and Advertising Networks and Social Media

(e.g., for targeted advertising of products and services available at Lowe's)

- Identifiers
- Online Activities
- Commercial Information
- Professional or Employment-Related Information
- Protected Classes Under the California or Federal Law (e.g., age range, gender)
- Inferences

Fraud Prevention Vendors

(e.g., for detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity and prosecuting those responsible for that activity)

- Identifiers
- Commercial Information
- Online Activities
- Geolocation Information
- Audio, Electronic, Video or Image Information
- Professional or Employment-Related Information
- Protected Class Information Under the California or Federal Law
- Sensitive Personal Information (Payment Card Information)

Your Privacy Rights and Choices

Privacy Rights for Residents of Certain States

Residents of certain states have rights to access, delete, correct, or opt-out from certain types of processing or sharing of their personal information. Depending on your state of residency and subject to certain legal limitations and exceptions, you may be able to exercise some or all of the following rights:

- **Access your personal information.** You may request to access a copy of your personal information we maintain about you.

In addition, in California, you may request to learn more about the categories and specific pieces of personal information we collect about you, the categories of sources from which personal information is collected, and the categories of entities with whom we share personal information. You can also learn about categories of entities who may use your personal information for additional purposes relevant to our products or services (e.g., joint marketing, joint product/services offering) for valuable considerations. The information may be delivered by mail or electronically at your request.

- **Correct your personal information.** You may request to correct inaccurate personal information we maintain about you. If you would like to change information related to your order or services, please contact a store associate or Lowe's Customer Care.
- **Delete your personal information.** You may request that Lowe's delete your personal information we maintain about you. This may impact our capability to provide products or services to you. Please also note, we need to keep certain information when permitted by law to complete the transactions, detect security incidents, prevent fraudulent or illegal activities, identify and repair errors, comply with laws and regulations, and for other solely internal and lawful purposes.
- **Opt-out from sale of your information.** We may disclose your personal information we maintain about you to our business partners who use it for additional purposes yet relevant to our products or services (e.g., joint marketing, joint product/services offering). These disclosures may be deemed as a "sale" under certain privacy laws (e.g., California) if such disclosure is for any valuable consideration. We do not, however, disclose your information to third parties for purposes unrelated to our products and services in exchange of monetary value. You may opt out from "sale" of your personal information.
- **Opt-out from sharing of your information for targeted advertising.** We use certain advertising cookies, pixel or tags to serve targeted online ads and to measure their effectiveness, including ads that are selected based on personal information obtained from your activities over time and across nonaffiliated or distinctly-branded websites, applications, or services. You can opt-out from sharing of your personal information for targeted advertising.
- **Limit the use and disclosure of sensitive personal information.** In certain states, such as Virginia, we collect and process "sensitive personal information" with your opt-in consent. For certain other states, such as California and Utah, you may request Lowe's to limit the use and disclosure of your sensitive personal information to certain purposes that are permitted by law, such as providing products or services, detecting security incidents and protecting safety, preventing fraud or illegal actions, and maintaining the quality of services we provide. Please note that the definition of sensitive personal information varies by state, so your rights with respect to specific types of information will depend on your state of residency.
- **Appeal your request.** Residents of certain states may appeal a decision to not take action on your privacy right request within a reasonable time after your receipt of the decision.

Depending on your state of residency you may also have the right to not receive retaliatory or discriminatory treatment in connection with a request to exercise the above rights. However, the exercise of the rights described above may result in a different price, rate or quality level of product or service where that difference is reasonably related to the impact the right has on our relationship or is otherwise permitted by law.

Below is a summary of your privacy rights based on your state of residency:

- **California Residents:** Right of access, correct or delete personal information, right to opt-out of "sale" of personal information, right to opt-out of "sharing" of personal information for targeted advertising, limit the use of sensitive personal information, no discrimination.
- **Colorado, Connecticut, and Virginia Residents:** Right of access, correct or delete your personal information, right to opt-out of sale of personal information for money, right to opt-out of targeted advertising, no discrimination, right to appeal. (Effective 1/1/23 in Virginia and 7/1/23 in Colorado and Connecticut)
- **Utah Residents:** Right of access or delete personal information, right to opt-out of sale of personal information, right to opt-out of targeted advertising, no discrimination. (Effective 12/31/23)

How to Submit Privacy Request(s)

- **Access, correct or delete personal information.** To access, correct or delete your personal information, please enter the [Lowe's Privacy Request Portal](#) or call 800-309-5732. We need your contact information, such as name, address, phone number, and email, to submit your request and verify your identity for access or deletion requests.

For your information security and privacy, we may work with an identity verification business partner or require you to log in to your Lowe's online account (if you have one) to verify requestor identity. With your consent, we may send you a text to your mobile number to verify your identity. Our ID verification service provider may also present you with several questions to which only you may know the answers.

- **Opt-out from “sale,” or limit the use and disclosure of sensitive personal information.** To opt-out from “sale,” or to limit the use and disclosure of sensitive personal information, please submit opt-out request via the [Lowe's Privacy Request Portal](#) or call 800-309-5732.

Nevada Residents. Chapter 603A of the Nevada Revised Statutes permits a Nevada resident to opt out of future sales of certain “covered information” that a website operator has collected or will collect about the resident. We do not sell your covered information, as defined by Chapter 603A of the Nevada Revised Statutes. If you reside in Nevada, you have the right to submit a request to privacy@lowes.com to opt out of the sale of covered information. Please include “Nevada Rights Request” in the subject line.

- **Opt-out from sharing of personal information for targeted advertising.** To opt-out from sharing or targeted advertising, please adjust your cookie preference for Lowe's sites here. The opt-out is associated with the browser that you use to set those preferences, unless we know you are browsing our site. You can provide additional personal information by submitting an opt-out request via the [Lowe's Privacy Request Portal](#) or by calling 800-309-5732 and asking to restrict offline sharing of personal information for targeted advertising.

[Manage Cookies](#)

- **Opt-out Preference Signals.** You may also institute opt-out preference signals such as the Global Privacy Control for requests to opt-out from “sale” or opt-out from sharing of personal information for targeted advertising (on the browsers and/or browser extensions that support such signals). The opt-out applies to your browser and not to you as an individual.
- **Appeal.** To appeal a decision to not take action on your privacy right request, please click the “Your Existing Requests” tab in the [Lowe's Privacy Request Portal](#).
- **Authorized Agent.** You may designate an agent to submit privacy requests on your behalf, but for your protection, we may need to verify your identity directly with you before fulfilling certain requests, and we will deliver your personal information directly to you (if requested). We need your agent's contact information, and your agent needs to have your information ready when submitting the request.

We respond to requests to exercise privacy rights in accordance with our legal obligations, but please note that not all of these rights may be available to you depending on where you live. When we are not legally required to do so, we strive to comply with reasonable requests, but there may be a delay in responding to such requests. In certain circumstances, we may decline a

privacy rights request, particularly where you are not a resident of one of the eligible states or where we are unable to verify your identity.

To view statistics about California consumer data requests received in 2022, please click [here](#).

Your Privacy Right Under the California Shine the Light Act

How to Know If My Information Has Been Disclosed for Direct Marketing Purposes: Subject to certain limitations under California Civil Code § 1798.83, if you are a California resident and have an established business relationship with us, you may ask us to provide you with (i) a list of certain categories of personal information that we have disclosed to certain third parties for their direct marketing purposes during the immediately preceding calendar year and (ii) the identity of certain third parties that received personal information from us for their direct marketing purposes during that calendar year. To make such a request, please contact us as follows:

Privacy Office – California Privacy Rights
1000 Lowe's Blvd., NB6LG
Mooresville, NC 28117

Additional Privacy Choices

In addition to the rights described above, we also make the following privacy choices available:

Lowe's Online Account

You may access or modify your online account profile information and view your order history when you log into your online account on Lowes.com.

Email

To stop receiving marketing emails, you may click on the "Unsubscribe" link in any marketing email you receive from us and update your preferences on the resulting webpage. You can also email customercare@lowes.com with the phrase "REMOVE FROM NEWSLETTER LIST" in the subject line. To provide products and services, we may continue to send transactional emails.

Mobile

Text messages. We may send text messages with your proper consent. To stop receiving marketing text messages from Lowe's, please reply STOP to the Lowe's marketing text message. Please note this preference will only apply to the phone number in receipt of the text.

Push notifications. To opt-out from Lowe's push notifications, please adjust the permissions in your mobile device. This opt-out does not apply to in-app notifications.

Geolocation and in-store location. To stop collecting precise location information by our mobile applications, please adjust your mobile device setting.

Uninstall Lowe's applications. You may uninstall Lowe's application by following your standard uninstallation process in your mobile device.

Interest-Based and Other Targeted Advertising

You can adjust your cookie preference by visiting the Lowe's Privacy Statement here. Essential and functional cookies cannot be disabled nor can the tool be used to block cookies on third-party websites linked from our website. You can also opt-out of receiving online, interest-based and other targeted advertising from the DAA program's Consumer Choice page [here](#).

[Manage Cookies](#)

The opt-out is associated with the browser that you use to set those preferences, not with you as an individual. If you clear cookies on your browser after opt-out, your browser will no longer remember your preference, and you will need to reset your preference.

In-Store Wi-Fi

To stop the collection of information via in-store Wi-Fi, disconnect from the in-store Wi-Fi network.

Website Analytics Services

We use certain analytics services, such as Site Catalyst by Adobe Analytics, to gather information about our site visits or mobile app usage. To learn more about your privacy choices on Adobe Analytics, including opting out of personal information collection by Adobe, please click [here](#).

Notice of Financial Incentive Programs/Loyalty Programs

We offer various financial incentives, including price discounts, coupons, services, and other perks. For example, the financial incentives programs we may provide include (collectively, the "Programs"):

1. **MyLowe's** account holders, where participants can obtain certain features on the websites and mobile apps, such as tracking orders;
2. Members of **Lowe's MVPs Rewards & Partnership Program**, where participants have access to rewards, offers and promotions (see additional terms [here](#));
3. **Military Discount** holders, where participants have access to discounts (see additional terms [here](#));
4. Members of our mailing, email and text marketing list, where participants receive deals, information and updates; and
5. Customers who have signed up for our **Lowe's private-labeled credit cards** or **preloaded payment card**, where participants have access to discounts. We partner with financial institutions such as Synchrony and American Express to provide Lowe's private-labeled credit cards, and with Sunrise Banks to provide preloaded payment card. See program terms linked above for benefits provided.

Material Program Terms. A summary of the program and material terms are provided in the links associated with each program listed above or are otherwise provided in the program offer (e.g., via email).

Information Collected in the Programs. In order to participate in some of these programs, you may be asked to provide personal information, such as **identification information** (e.g., name, email address, phone number, mailing address, and payment information). We also collect your **online activities and commercial information** (e.g., transaction history). You may choose to provide other personal information (e.g. measurement data, information related to your property, picture of your premises). After joining certain programs, such as setting up a MyLowe's account or joining the **Lowe's MVPs Pro Rewards and Partnership Program**, you may indicate your **preferences**. We may make **inferences** (e.g., shopping preferences) based on your account activities.

How We Share Information Collected in the Programs. We share information collected in Programs for purposes and to unaffiliated entities disclosed in **How We Share Information** section. We may use and share **all categories of information** collected through the Programs described above with advertising vendors to provide targeted advertising about our products and services relevant to you. You may opt out of targeted advertising by following the steps in the **How to Submit Privacy Request(s) section**. Our tailored offers and promotions may not be accessible if you opt out from targeted advertising.

How to Opt Out of the Programs. Participation in any financial incentive program is optional at the time of sign-up, and participants may withdraw from the program at any time.

To opt-out of ongoing discount, loyalty or rewards programs associated with your online account, you may contact customer service to deactivate the account. For discounts associated with Lowe's private-labeled payment cards, you may choose to cancel the card with the financial institution. To opt out of the program and forgo any ongoing incentives, you may unsubscribe from our marketing communications for communication-based incentives. For California residents, you may email privacy@lowes.com with the subject line "Financial Incentive Opt-Out" (please include your name, address, email and the name of the applicable program).

The financial incentives we offer to consumers are reasonably related to the value of the consumer's data to our business, based on our reasonable but sole determination. We estimate the value of consumers' personal information by considering the expenses incurred by the business related to the collection, storage and retention of personal information in the context of the program and the expenses related to the provision of the program. The value to our business of any individual consumer's personal information is based on specific facts such as whether and to what extent you take advantage of any offerings and whether and to what extent you opt-out of any offerings. We do not calculate the value of consumer data in our accounting statements. From time to time, we may provide additional terms that apply to a particular financial incentive program, which will be presented to you at the time you sign up for the program.

How We Protect Your Information

We maintain administrative, technical, and physical safeguards designed and intended to protect personal information against accidental, unlawful, or unauthorized destruction, loss, alteration, access, disclosure or use. Despite these safeguards, due to inherent uncertainty in the use of the internet and information systems and the potential for unlawful attacks by third parties, we cannot guarantee that the use of our systems, websites or applications will be completely safe or secure.

How We Retain Your Information

We retain personal information only for as long as is reasonably necessary to fulfill the purpose for which it was collected, comply with our legal obligations, resolve disputes, and enforce our agreements. To determine the appropriate duration of the retention of personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of personal information and if we can attain our objectives by other means, as well as our legal, regulatory, tax, accounting, and other applicable obligations.

Once retention of the personal information is no longer necessary for the purposes outlined above, we will either delete or deidentify the personal information or, if this is not possible (for example, because personal information has been stored in backup archives), then we will store and protect the personal information until deletion or deidentification is possible.

Other Important Considerations

Do Not Track

We do not process or respond to "Do Not Track" signals from your browser that enable consumer choice regarding the collection of personal information about one's online activities over time and across third-party websites or online services. For more information about how we respond to other opt-out preference signals such as the Global Privacy Control, please refer to the "[How to Submit Privacy Request\(s\)](#)" section above.

Cookies and Other Technologies

Cookies refer to small packets of data that websites send to your computer or other internet-connected devices. Lowe's and our business partners use them for different purposes. These technologies can uniquely identify your browser and log information, such as your device type, system and browser information, IP address, system language, location and your interactions with the site. Like other websites, we need some essential cookies for our website to function properly. We also use some functional cookies to pre-populate your login ID to make it easier for you, or to help us remember where you left off when you shopped, so you do not have to restart all over again. We may use browser cookies, flash cookies and other types of local storage. We, and our third-party partners, may also use analytics tools to collect information about your keystroke activity and rhythms, mouse movements, scrolling and clicks when you use our websites or mobile applications.

Lowe's and our business partners also use cookies with other technologies, such as tags, beacons or pixels. They allow us to count visitors to our webpages, evaluate the effectiveness of our promotional campaigns or recommend relevant products and services to you when you browse social media or other websites. We think these technologies create meaningful interactions with you and are helpful, but you can let us know that you prefer otherwise by opting-out from these advertising cookies and technologies by clicking below. You can find more information and options in **Interest-Based Advertising and Other Targeted Advertising section**. We may also use third-party web analytics services in our online services to help us analyze how users use our online services.

[Manage Cookies](#)

Interest-Based Advertising and Other Targeted Advertising

We collect data about your activities on our websites and applications for use in providing tailored advertising, and we may share information about activities on our websites with advertising networks administered by third parties. These ad networks track your online activities over time and across websites by collecting information through automated means, and they use this information to show you advertisements that are tailored to your individual interests. As a result, you may see certain ads on other websites based on prior activities on our websites and vice versa. We may also combine information about your online activities with your activity in a Lowe's store using our mobile applications.

We may also utilize third-party services that may allow us to associate your prior Lowe's online or in-store transaction data, operating system, user-agent string, IP address, internet browser, installed fonts and similar information with a pseudonymized ID, which can then be used to target Lowe's advertising to you on other websites and online platforms.

To provide you with a consistent shopping experience, we may also associate various devices you utilize (e.g., smartphones, tablets and desktop computers) by using the information we collect about you. We may combine information we collect from your devices with other information we have about you, such as your Lowe's account information, your interaction with our sites, apps and services and your transaction history.

The Digital Advertising Alliance (DAA) has created guidance for online advertisers and provided a mechanism for such advertisers to comply with users' choices regarding interest-based ads. To learn more about ad networks, including how to opt-out of interest-based ads, click [here](#).

Social Media Widgets

Our online services may include social media features (e.g., a Facebook "Like" button). These features are connected to third parties and may allow such third parties to collect certain information, such as your IP address and which pages you visit on our websites. These social media features are not operated by Lowe's. Your interactions with these features are governed by the privacy policies of the company providing the features.

Links to Other Websites

Our websites may link to other websites for your convenience and information. For instance, they may link to websites of product suppliers, manufacturers, and service providers. We are not responsible for the content or privacy practices of any website that we do not control and that does not point to this Privacy Statement.

Scope

When we use the term "personal information" in this Privacy Statement, we mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to an individual. It does not include aggregated or deidentified information that is maintained in a form that cannot reasonably be used to infer

information about, or otherwise be linked to, a particular individual. Where we maintain de-identified data, we will maintain and use the data in de-identified form and not attempt to re-identify the data except as required or permitted by law.

The Privacy Statement covers the privacy practice of Lowe's Companies, Inc. and its U.S. operating subsidiaries and affiliates ("Lowe's"), except as outlined below. It applies to personal information about a prospective, current or former Lowe's customer, visitor or business partner.

In some cases, we may provide additional details about privacy practices specific to a particular operation or location. For example, some of our websites may provide additional privacy details unique to that website, or some stores may post additional privacy details specific to that store or an event.

This Privacy Statement **does not apply** to:

- Lowe's job applicant-related and employment-related records.
- Your interactions with third parties or their websites that are linked to or accessible from Lowe's websites or that are operated by unaffiliated parties, even though the website may contain references to Lowe's. The information collection, use and sharing practices are governed by the respective privacy notices at the bottom of the sites.
- Credit-related products (such as Lowe's-branded credit cards), which are covered by the issuing banks' privacy notices.

How to Contact Us

If you have questions or comments about this Privacy Statement or if you would like us to update the information we have about you or your preferences, please contact us as indicated below.

Privacy Office
1000 Lowe's Blvd., NB6LG
Mooresville, NC 28117
privacy@lowes.com

Updates

This Privacy Statement may be updated periodically and without prior notice to you to reflect changes in our information practices or relevant laws. We will post a notice on Lowes.com and other websites that point to this Privacy Statement to notify you of any substantive changes to the way we collect and use information. We will indicate at the top of the Privacy Statement when it was last updated.